

United States District Court
Eastern District of New York

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CARL SEMENCIC

18-CV-05244 (NRM)(AYS)

Plaintiff,

- against -

THE COUNTY OF NASSAU, THE NASSAU
COUNTY POLICE DEPARTMENT,
COMMISSIONER PATRICK J. RYDER,
POLICE OFFICER ROBERT B. McGRORY
and POLICE OFFICER KENNETH J. MAGNUSON,
and JOHN DOE #1, individually and officially,

**DEFENDANTS' PROPOSED
VOIR DIRE STATEMENT OF
THE CASE**

Defendants.
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Defendants respectfully submit the following proposed *voir dire* statement of the case in accordance with the Court's instructions and the parties' joint letter to the Court (DE 114). The parties did not reach an agreement on the case summary to be provided during *voir dire*, necessitating this separate submission by the Defendants. This statement provides an overview of the factual and procedural background relevant to the jury selection process. This statement is intended to provide the jury with an impartial factual overview on the matter before them.

"This case arises from events that took place at the home of the Plaintiff, Carl Semencic, in West Hempstead on July 19, 2016. That evening, a volunteer firefighter from the Franklin Square and Munson Fire Department came to the residence as part of an annual fundraising campaign.

During this encounter, Plaintiff came to the door holding a Glock handgun. Information regarding this interaction was reported to the Nassau County Police Department, prompting officers to respond to the scene. Upon arrival, officers detained Plaintiff, secured the residence, and took possession of 21 firearms.

Plaintiff was a licensed firearm holder, and criminal charges were subsequently brought against him. Those charges were later dismissed on procedural grounds and not on the merits, and the dismissal does not reflect a finding of wrongdoing by the officers.

In this lawsuit, Plaintiff alleges that his civil rights were violated when officers entered his home, conducted a search, and placed him under arrest. The defendants, Nassau County and Police Officers Robert B. McGrory and Kenneth J. Magnuson deny these allegations and assert that the

officers acted lawfully and appropriately in response to the information they received and the conditions they encountered at the scene.”

Defendants submit this *voir dire* statement of the case for the Court’s Consideration in advance of jury selection.

Respectfully submitted,

Thomas A. Adams
Nassau County Attorney



John Carnevale, Esq.

Deputy County Attorney
Attorney for Defendants
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